
STATUTORY INSTRUMENTS

1998 No. 1731

The Environmental Assessment (Forestry) Regulations 1998

Interpretation

2.—(1) In these Regulations –

“afforestation” has the same meaning as in Council Directive [85/337/EEC](#) on the assessment of the effects of certain public and private projects on the environment⁽¹⁾;

“the Commissioners” means the Forestry Commissioners;

“countryside bodies” means –

- (a) in relation to England, the Nature Conservancy Council for England and the Countryside Commission,
- (b) in relation to Scotland, Scottish Natural Heritage, and
- (c) in relation to Wales, the Countryside Council for Wales;

“environmental information” means information in the environmental statement and any other information provided in accordance with these Regulations in relation to an application for consent or an appeal under regulations 13 or 17 relating to the likely environmental effects of the subject matter of the application or, as the case may be, appeal;

“environmental statement” means a statement such as is described in the Schedule to these Regulations;

“the Minister” means, in relation to England, the Minister of Agriculture, Fisheries and Food, and, in relation to Scotland or Wales, the Secretary of State;

“project” means the execution of construction works or of other installations or schemes or other intervention in the natural surroundings or landscape including those involving the extraction of mineral resources;

“proposer” means person who proposes to carry out a project;

“relevant project” means a project which is likely to have a significant effect on the environment and is –

- (a) initial afforestation where this may lead to adverse ecological changes, or
- (b) the construction of a forest road where such construction is permitted development by virtue of sub-paragraph (b) of Class A of Part 7 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995⁽²⁾ or of paragraph (1)(b) of Class 22 of Schedule 1 to the Town and Country Planning (General Permitted Development) (Scotland) Order 1992⁽³⁾, or
- (c) operations to obtain the materials required for the formation, alteration or maintenance of private ways where such operations are permitted development by virtue of sub-paragraph (c) of Class A of Part 7 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 or of paragraph (1)(c) of Class 22

⁽¹⁾ OJNo. L175, 5.7.85, p.40.

⁽²⁾ S.I.1995/418.

⁽³⁾ S.I. 1992/223; to which there are amendments not relevant to these Regulations.

of Schedule 1 to the Town and Country Planning (General Permitted Development) (Scotland) Order 1992.

(2) In these regulations, any reference to an enforcement notice shall be construed as including, as the context requires, a reference to notice of a variation under regulation 16(6)(a) or to an enforcement notice as so varied,

(3) Any reference in these Regulations, other than regulation 18, to consent shall be construed as a reference to the consent of the Commissioners required by regulation 3.

(4) Any reference in these Regulations to a numbered regulation shall be construed as a reference to the regulation bearing that number in these Regulations.